



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, DC 20460

SEP 21 2015

OFFICE OF RESEARCH AND DEVELOPMENT

Daniel R. Sullivan, Esq.  
Gentry Locke, LLP  
10 Franklin Road, SE  
Suite 800  
Roanoke, VA 24011

**RE: Freedom of Information Act Request No. EPA-HQ-2015-005094**

Dear Mr. Sullivan,

This letter is in reference to your Freedom of Information Act request received by the U.S. Environmental Protection Agency dated March 11, 2015, in which you requested documents relating to grant R833293 to Duke University for the Southern Center on Environmentally Driven Disparities in Birth Outcomes.

The Office of Research and Development (ORD), National Center of Environmental Research (NCER) has concluded its search for records responsive to your request and is providing a portion of the requested records. It has been determined that a portion of the records responsive to your request have been claimed confidential and may contain privileged information, trade secrets or commercial or financial information that is exempt from disclosure under Exemption 4, 5 U.S.C. 552(b)(4), privileged communications that were part of pre-award funding deliberations under Exemption 5, 5 U.S.C. 552(b)(5), or may contain personnel, medical, or similar information that is exempt from disclosure under Exemption 6, 5 U.S.C. 552(b)(6).

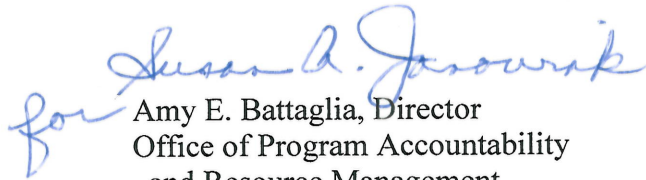
Pursuant to 40 C.F.R. 2.204(d)(1), your request for the initial grant application is being initially denied in part because additional consideration by EPA's Office of General Counsel would be required before a final determination concerning the portion of information claimed confidential can be made. At your request, we will consult with the third party(ies) in connection with their business confidentiality claim(s) covering these records and request that the EPA Office of General Counsel issue a final confidentiality determination.

This completes our response to your FOIA request. You may appeal this response to the National Freedom of Information Office, U. S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW (2822T), Washington, DC 20460 (U. S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov) or via FOIA online: <https://foiaonline.regulations.gov/foia/action/public/home>. Only items mailed through the U. S. Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, NW, Room 6416J, Washington, DC 20004.

Your appeal must be in writing and submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the tracking number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

If you have any questions concerning this response, please contact Ms. Susan Maier, ORD/NCER, at 703-347-8073.

Sincerely,

  
for Amy E. Battaglia, Director  
Office of Program Accountability  
and Resource Management